

Members

Sen. Connie Lawson, Chairperson
Sen. Rose Antich
Rep. William Crawford
Rep. Mary Kay Budak
Ellen Clippinger
Cheryl A. Seelig
Sven Schumacher
Kimberly Tracy Armstrong
Donald Amos
Nathan Samuel
Marsha Hearn-Lindsey
Barb Schuck
Carol Johnson
Sharon Pierce
James Hmurovich
Mara Snyder
Judy Ganser



BOARD FOR THE COORDINATION OF CHILD CARE REGULATION

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MEETING MINUTES¹

Meeting Date: September 25, 2000
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington St.,
Room 404
Meeting City: Indianapolis, Indiana
Meeting Number: 3

Members Present: Sen. Connie Lawson, Chair; Rep. William Crawford; Rep. Mary Kay Budak; Ellen Clippinger; Kimberly Tracy Armstrong; Donald Amos; Marsha Hearn-Lindsey; Carol Johnson; Sharon Pierce; James Hmurovich; Mara Snyder.

Members Absent: Sen. Rose Antich; Cheryl A. Seelig; Sven Schumacher; Nathan Samuel; Barb Schuck; Judy Ganser.

I. Call to Order

Senator Lawson, Chair, called the meeting to order at approximately 10:00 a.m. and indicated to the Board her intentions of strictly following the agenda. The Chair then introduced the first witness to provide follow-up information concerning requests made at the last meeting by Representatives Crawford and Budak.

II. Immunizations, Child Care Expenditures and Minimum Standards for Funding

Ms. Amy Brown, Legislative Liaison, FSSA, Division of Family and Children was introduced by the Chair to begin testimony. Ms. Brown provided information on immunization requirements and child care; Child Care and Development Fund (CCDF) block grant expenditures; eligibility for child care subsidies; and FSSA minimum standards for providers who accept CCDF block grant vouchers.

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Ms. Brown testified to the following:

Immunization Requirements and Child Care.

- Licensed regulated homes and centers, and registered ministries that receive CCDF and Temporary Assistance for Needy Families (TANF) grants are required to ensure proper immunization for all children being served.
- FSSA takes appropriate measures to ensure compliance for the above entities but does not ensure compliance for exempt entities such as licensed exempt in-home and licensed exempt family care providers.
- FSSA is in the process of developing a compliance mechanism for exempt entities which could be finalized by the end of 2000.

CCDF Block Grant Total Expenditures and Provider Amounts from 10/1/99 through 8/28/2000.

- Fifty-six percent of expenditures were distributed to exempt entities (e.g., licensed exempt in-home; licensed exempt family care; legally exempt facilities; and registered ministries).
- Forty-four percent of expenditures were distributed to licensed entities (e.g., licensed regulated homes and licensed regulated centers).

Eligibility for Child Care Subsidies

- New families must have income below 143% of the federal poverty level in order to receive CCDF monies.
- New families may have income up to 190% of the federal poverty level in order to receive Social Services Block Grant (SSBG) monies.
- In 1999, there were 65,165 children who received CCDF monies and 6,470 children who received SSBG monies.

Minimum Standards

- Eighty-four counties have adopted minimum standards for licensed exempt providers wanting to participate in the child care voucher program.
- The eight counties not adopting minimum standards may still be in the process of developing a local plan for implementation.
- There is some concern (by certain Step-Ahead Councils) of providers closing down rather than attempting to meet minimum standards.

Ms. Brown submitted a handout (Exhibit #1) which describes her testimony more fully and provides additional information regarding the following items: 1) total CCDF expenditure and provider amounts by type; 2) CCDF contract close-out periods; 3) CCDF and TANF expenditure methodology; 4) eligibility requirements for child care subsidies; 5) CCDF recipient minimum standards; and 6) an Indiana map of counties adopting minimum standards.

III. Latch Key Program

At this time, the Chair asked the Latch Key Program Informal Work Group to provide a progress report to the Commission.

Ms. Ellen Clippinger, Chair, Latch Key Program Informal Work Group provided an overview of what the group discussed during its last meeting.

- A review of issues raised over the past two years concerning before- and after- school-age care in public schools.

- A recommendation that schools have a written contract with their provider(s) of before- and/or after-school care programs operating in the schools.
- The charge of the Informal Work Group.
- The possibility of additional meetings with additional members representing various entities interested in child care.

Ms. Clippinger submitted a handout (Exhibit #2) which describes her overview more fully and provides additional information regarding the following topics: 1) the possibility of legal interpretation of the statute which exempts before- and after-school programs from licensure; and 2) outcomes that the Informal Work Group deem necessary regarding before- and/or after school.

IV. Indiana Licensing and the Basics of Child Care Programs

Keith Carver, Licensing Supervisor, Division of Family and Children, FSSA provided an overview of licensing in Indiana and the basics of child care programs by testifying to the following:

Licensure

- A licensing law was first enacted in 1945.
- Licensing regulations were first promulgated in 1946.
- In 1992, licensing laws were rewritten and updated for the first time.
- Currently, 13 states begin licensing family child care when one child is in care, and three states do not license family care at all.

Licensure Exemptions and Requirements

- Licensing exemptions for religious organizations occurred in 1979.
- Licensed family child care homes, child care centers, and registered ministries all have different health requirements and required annual inspections.
- Several licensure exemptions exist for child care entities ranging from before- and after-school programs to programs operated for migrant children.

Miscellaneous

- The Board for the Coordination for Child Care Regulation was established in 1982.
- In 1993, Class II homes were created (62 still exist today).

Mr. Carver submitted a handout (Exhibit #3) which describes his testimony more fully and provides additional information regarding the following topics: 1) licensure in Indiana; 2) licensure exemptions; and 3) definitions, educational requirements, and staff/child ratios of licensed family child care homes, child care centers, and registered ministries.

V. Indiana Institute on Disability and Community, Indiana University

Ms. Patricia Cole, Research Associate, Early Childhood Center provided a presentation of Indiana's child care licensing and registration requirements in comparison to the *National Health and Safety Performance Standards: Guidelines for Out-of-Home Child Care Programs* created by the U.S. Department of Health and Human Services. She indicated that the study (i.e., *Healthy Child Care America, Indiana Initiative*) was completed by the Indiana Parent Information Network, Inc. and the Indiana Institute on Disability and Community, Indiana University. Ms. Cole testified to the following:

Purpose of the Study and Methodology

- To determine the degree of inclusion of national standards in Indiana's licensure

requirements for centers and home child care, and registration requirements for child care ministries.

- To encourage discussion on how to increase the level of quality child care in Indiana through regulation and other means.
- Based on the following nine topics reflected in the *National Health and Safety Performance Standards: Guidelines for Out-of-Home Child Care Programs*.
 - Staffing
 - Activities for Healthy Development
 - Health Protection and Health Promotion
 - Nutrition and Food Service
 - Facilities, Supplies, Equipment, and Transportation
 - Infectious Disease
 - Children with Special Needs
 - Administration
 - Management Plan and Statement of Services

Findings

- Indiana is not always in compliance with national standards.
- Data reflect the percentage of national standards addressed by Indiana's licensure or registration requirements for the following entities: 1) centers; 2) homes; and 3) registered ministries.

Miscellaneous

- As of 8/31/00, there are 681 licensed child care centers, 3,616 licensed child care homes, and 524 registered child care ministries in Indiana.

Ms. Cole submitted several handouts (Exhibits #4, 4a, 5, and 6) which describe her testimony more fully and provide additional information regarding the following topics: 1) identification of standards most needed for the prevention of injury, morbidity, and mortality in child care centers; 2) the status of Indiana child care as of 1999; 3) specific findings from *Healthy Child Care America, Indiana Initiative*; 4) types of child care regulated and not regulated in Indiana; and 5) the number of children receiving child care in Indiana.

VI. Programs Promoting Children's Health and Safety in Child Care Settings

Ms. Susan Preble, Legislative Liaison, FSSA provided the Commission with a listing of programs promoting children's health and safety in child care settings in Indiana (Exhibit #7). The Chair then asked that members read the listing on their own, and make any comments during the next meeting.

VII. Special Needs Children

Ms. Deborah Rodecap, Executive Director of the Wood's Enrichment Center, Michigan City, Indiana addressed the Board regarding child care for special needs children by testifying to the following:

- A continued lack of care exists for special needs children in child care settings.
- Unique problems exist for parents of children with needs such as tube feeding and tracheal tube maintenance.
- The amount of time and skill required to assist special needs children is often prohibitive with regards to accepting such children into a child care setting.

VIII. Committee Questions and Discussion

Minimum Standards

Ms. Brown's presentation on minimum standards generated discussion by the Board regarding the following topics: 1) the reasons why a county might not want to adopt minimum standards; 2) how FSSA could aid these counties in adopting minimum standards; and 3) which minimum standards are the most difficult or expensive to adopt for these counties.

James Hmurovich stated that FSSA would contact the eight counties in question to find out why they are not adopting minimum standards. Mr. Hmurovich indicated to the Chair that he would have this information for the next Board meeting.

At this time, the Chair accepted a memo from Marsha Hearn-Lindsey written by Marilyn Solomon, President/CEO of Early Learning Centers, and Licensed Child Care Center Representative for the Marion County Step Ahead Council regarding minimum standards (Exhibit #8). The Chair indicated that the letter would be copied by LSA staff, and provided to Board members before the next meeting.

Latch Key Program

Ms. Clippinger's progress report from the Latch Key Program Informal Work Group generated discussion by the Board regarding the following topics: 1) contracts with outside entities that operate before- and/or after-school programs in public schools; 2) exemption from licensing for before- and/or after-school programs in public schools; and 3) the presumption that school settings are satisfactorily regulated concerning child care safety and well-being.

At this time, the Chair asked Terry Spradlin, Legislative Liaison with the Department of Education, for his impressions regarding a legislative remedy concerning written contracts with provider(s) of before- and/or after-school care programs operating within schools. Mr. Spradlin indicated that legislation would likely be required as opposed to the promulgation of rules by the Department of Education.

Licensing, Registration, and Subsidy Reimbursement Rates

After discussion regarding the licensure and registration of child care entities, the Chair asked LSA staff to hand out and explain various packets of information (Exhibit #9) regarding the following items: 1) licensing studies; 2) child-to-staff ratios; 3) general child care facts; 4) subsidy reimbursement rates; 5) the *Comparison of Indiana's Child Care Licensing and Registration Requirements to the National Health and Safety Performance Standards: Guidelines for Out-of-Home Child Care Programs* by Patricia Cole; and 6) various states' initiatives regarding child care.

The Chair then asked that Board members read the material on their own, and formulate questions, comments, and concerns for discussion at the next Board meeting.

Other Business and Adjournment

At this point, the Chair shifted the conversation to next month's agenda and outlined the following topics for discussion: 1) information regarding counties that have not adopted CCDF minimum standards; 2) seclusion and restraint in residential childcare facilities; 3) Class I child care homes; and 4) discussion of proposed legislation. There being no further discussion, the Chair adjourned the meeting at approximately 11:30 a.m.